IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

Bail Appl..No. 6998 of 2006()

CRIME NO.770/06 OF ADOOR POLICE STATION

PETITIONER

SATHEESH, AGED 37 YEARS,
S/O.PARAMESWARAN PILLAI,
KALEECKAL VEEDU, PANDALAM THEKKEKARA VILLAGE,
ADOOR TALUK.

BY ADV. SRI.K.MADHUSOODHANAN NAIR

RESPONDENT:

STATE OF KERALA,
REP. BY CIRCLE INSPECTOR OF POLICE,
ADOOR, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.6998 OF 2006

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DATED THIS THE 28th DAY OF NOVEMBER, 2006

O R D E R

Petitioner seeks anticipatory bail on the allegation that the Adoor Police is after him in connection with Crime No.770/06 of Adoor Police Station, for offences punishable under sectioins 143, 148, 447, 323 and 307 read with section 149 IPC.

2. Learned Public Prosecutor on instructions submitted that the petitioner has not been arraigned as an accused in the above case and that the Police are still making enquiries as to the persons other than accused 1 and 2 who were in the company of accused 1 and 2 when the defacto complainant was attacked on 4.11.2006. This will indicate that the apprehension entertained by the petitioner is well founded. Accordingly, I am inclined to grant anticipatory bail to the petitioner. A direction is therefore issued to the Investigating Officer to release the petitioner on bail for a period of one month in the event of his arraignment as an accused or arrest in connection with the above crime, on the petitioner executing a bond for Rs.10,000/- with two solvent sureties each for the like amount to the satisfaction of the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,JUDGE.

dsn